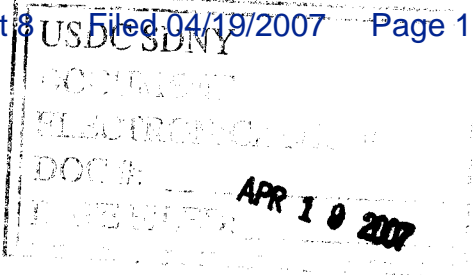


JUDGE SWAIN



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

ALBERTO FONTANEZ,

Defendant.

INDICTMENT
07 CRIM Cr. 330

COUNT ONE

The Grand Jury charges:

On or about March 8, 2007, in the Southern District of New York, ALBERTO FONTANEZ, the defendant, after having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, to wit, a conviction on or about December 10, 1998, in New York County Supreme Court, for attempted criminal possession of a controlled substance in the fourth degree, in violation of new York Penal Law 220.09, and a conviction on or about September 11, 1995, in New York County Supreme Court, for attempted criminal sale of a controlled substance in the third degree, in violation of New York Penal Law 220.39, unlawfully, wilfully, and knowingly, did possess in and affecting commerce, a firearm, to wit, a Glock 26 handgun, which previously had been shipped and transported in interstate and foreign commerce, on his person while in or around 1486 Inwood Avenue, Bronx, New York.

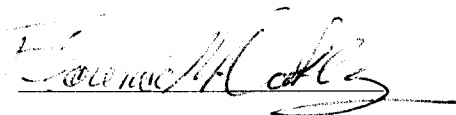
(Title 18, United States Code, Sections 922(g)(1).)

COUNT TWO

The Grand Jury further charges:

On or about March 8, 2007, in the Southern District of New York, ALBERTO FONTANEZ, the defendant, after having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, to wit, a conviction on or about December 10, 1998, in New York County Supreme Court, for attempted criminal possession of a controlled substance in the fourth degree, in violation of new York Penal Law 220.09, and a conviction on or about September 11, 1995, in New York County Supreme Court, for attempted criminal sale of a controlled substance in the third degree, in violation of New York Penal Law 220.39, unlawfully, wilfully, and knowingly, did possess in and affecting commerce, a firearm, to wit, a Ruger Mini 14 rifle, which previously had been shipped and transported in interstate and foreign commerce, in his residence at 3505 Broadway, Apartment 47, New York, New York 10031.

(Title 18, United States Code, Sections 922(g)(1).)



FOREPERSON



MICHAEL J. GARCIA
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

ALBERTO FONTANEZ,

Defendant.

INDICTMENT

07 Cr.

(18 U.S.C. § 922(g)(1))

MICHAEL J. GARCIA

United States Attorney.

A TRUE BILL

Foreperson.

RC
4/19/07

Indictment filed, case assigned
to Judge Train

F. Morris, USMT